

# DIRECTIVE

## WORKFORCE INVESTMENT ACT

Number: WIAD00-5

Date: November 22, 2000  
69-1:43:das:4139

TO: LOCAL WORKFORCE INVESTMENT AREAS  
CHIEF ELECTED OFFICIALS  
CALIFORNIA WORKFORCE INVESTMENT BOARD STAFF  
WDB STAFF

SUBJECT: APPLICATIONS FOR RAPID RESPONSE FUNDING **(INACTIVE)**

### EXECUTIVE SUMMARY:

#### Purpose:

This directive facilitates a localized, decentralized process for delivery of Rapid Response (RR) Activities in all parts of California. This final directive contains several changes made based on comments received after the draft directive was released on October 30, 2000.

#### Scope:

This directive provides guidance for applying for RR funding.

#### Effective Date:

This directive is effective upon release.

### REFERENCES:

- Workforce Investment Act (WIA) Sections 101(38), 133(a)(2) and 134(a)(2)(A)(i)
- WIA Final Rule Sections 665.300 through 665.330
- Title 20 Code of Federal Regulations (CFR) Part 652 et al. Workforce Investment Act; Final Rules
- *California's Strategic Five-Year Plan*, Section IV.B.13

### STATE-IMPOSED REQUIREMENTS:

Other than for federal citations and rules, this directive contains all State-imposed requirements.

### FILING INSTRUCTIONS:

This directive finalizes Draft Directive WIADD-7, issued for comment on October 30, 2000. Retain this directive until further notice.

## **BACKGROUND:**

The WIA defines RR activities as a State responsibility. It does, however, also permit states to designate another entity to carry out these responsibilities. Pursuant to this authorization, California uses a decentralized RR strategy. The State delegates its RR responsibilities, and provides its RR funding to Local Workforce Investment Areas (LWIA) throughout the State to defray the costs of the RR services that are needed to appropriately respond to all dislocation events within each LWIA.

## **POLICY AND PROCEDURES:**

### **General Provisions:**

All California Chief Elected Officials (CEO) that have appointed Local Workforce Investment Boards (LWIB) are hereby invited to work in conjunction with their respective LWIBs, One-Stop operators, and One-Stop partners as appropriate to prepare and submit applications for RR funding. Applications may be submitted by LWIB program administrators that have been authorized by their CEOs to act in behalf of those CEOs in WIA matters. Applications must justify the total RR funding needed in the LWIA(s) to defray the local costs of all the RR services required by WIA, and any of the allowable RR activities that are needed in the LWIA(s), from July 1, 2000, through June 30, 2001. Funding decisions will be made based on the strength of the justifications and demonstrated local needs in each application.

Applications must include the RR funding that has previously been provided, via the State subgrant to each LWIA. These funds were approved to allow continuity of local RR efforts during the transition from the Job Training Partnership Act to WIA.

While it is entirely at the discretion of the local partners, the State encourages local partners to work together, to the extent possible, to prepare and submit single, cooperative RR funding applications on a regional basis. Such regional applications would be particularly appropriate for contiguous LWIAs within single labor market areas. Regional applications must be submitted by the single entity that has been designated by the CEO to receive the RR funding requested. This single entity would typically provide integrated, labor-market-wide RR services. However, the single entity may also subcontract RR functions to other local entities provided it exercises appropriate controls to promote highly coordinated delivery of RR services throughout the region.

The Employment Development Department's (EDD) Job Service is receiving WIA funding for RR activities; therefore, the local or regional entities that receive RR funding will be expected to plan, coordinate, and link their RR activities. The RR services provided to dislocated worker groups should include information about EDD services (job placement assistance, Unemployment Insurance, California Training Benefits, Trade Adjustment Assistance, and the Transitional Adjustment Assistance available to workers affected by the North American Free Trade Act). Statements from the LWIA attesting to such coordinated planning and linkages must be included in all RR funding applications. The EDD's Job Service funding is independent of this RR funding process. The anticipated costs of EDD participation in local RR activities should *not* be included in RR funding applications submitted in response to this directive.

**Documentation:**

Documentation instructions are provided in the attached *Application Guidelines and preprinted Signature Page, Narrative, Budget, and Equipment Summary*.

**ACTION:**

Applications will be accepted in two groups: 1) Applications received by December 19, 2000, will be funded in early January 2001. 2) Applications will be accepted until January 8, 2001, with funding decisions made by late January. Applications should be submitted to:

Steve Saxton  
Rapid Response Funding Coordinator  
Program Section/Workforce Investment Division  
P.O. Box 826880, MIC 69-1  
Sacramento, CA 94280-0001

We anticipate that RR funding decisions will be made by the California Health and Human Services Agency on behalf of the Governor. Funding decisions will be communicated to applicants in writing.

Applications approved for funding will become the approved project plans which will be used for program monitoring and evaluation purposes.

Since it is difficult to anticipate the full extent of RR funding to meet these needs through June 30, 2001, applicants that have received RR funding may submit supplemental applications at any time throughout Program Year (PY) 2000/2001. However, PY 2000/2001 RR funding, regardless of when it is awarded, is available for expenditure only through June 30, 2001. Unexpended RR funds will revert to the State. Another application process will be initiated in the latter part of PY 2000/2001 to award RR funds for PY 2001/2002.

**INQUIRIES:**

If you have questions about this directive or the application process, please contact your [Workforce Investment Division Regional Advisor](#).

Sincerely,

/S/ BILL BURKE  
Chief

Attachments  
[On-line Form Supplement](#)

## **WIA RAPID RESPONSE ASSISTANCE APPLICATION GUIDELINES**

### **INTRODUCTION**

Under the Workforce Investment Act (WIA), the source of Rapid Response (RR) funding is the reservation for statewide activities described in Sections 133(a)(2) and 134(a)(2)(A)(i). The State's federal allotment of funding available in Program Year (PY) 2000/2001 for RR and for the provision of the additional assistance to local areas described in Section 134(a)(2)(A)(ii) is approximately 25 percent less than in PY 1999/2000.

The following application guidelines are based on Sections 101(38) and 134(a)(2)(A)(i) of the WIA, Sections 665.300 through 665.330 of the WIA Final Rule (FR), pages 49358 and 49359 of the August 11, 2000, issue of the *Federal Register*, and Section IV.B.13 of *California's Strategic Five-Year Plan*.

The specific definition and descriptions of RR Activities found in the above-cited provisions of the law, the federal regulations, the Preamble summary and explanation of the federal regulations (Preamble), and the State Plan are controlling in respect to this application process and the delivery of RR Activities throughout California.

### **REQUIRED AND ALLOWED RR ACTIVITIES**

The RR Activities are those that are necessary to plan and deliver services to enable dislocated workers to transition to new employment as quickly as possible following a permanent closure or mass layoff or a natural or other disaster that results in a mass job dislocation [FR 665.300(a)].

Applicants must provide or ensure the provision of the full range of required RR Activities in the LWIA(s) covered by the application. Applicants may also request funding for allowable activities as described below.

#### **A. Required RR Activities**

Recipients of RR funds must provide or ensure the provision of the full range of required RR Activities in response to all permanent closures, mass layoffs, and natural or other disasters that result in mass job dislocations in their LWIA(s). The State encourages LWIA(s) to cooperate on a regional basis with other recipients of RR funds to respond to such events that have a regional impact. The LWIAs will determine which potential events (if any) necessitate a regional approach. The required activities are listed in WIA Section 101(38) and in Section 665.310 of the FR. Recipients of RR funds must also provide or ensure provision of the required RR Activities to assist workers in their areas in respect to which the Governor has made the preliminary finding described in FR Section 665.330. To preclude the need for each applicant to restate the required RR Activities, a summary, adapted for purposes of this application process, has been preprinted into the narrative format. No specific description of these required RR activities is necessary.

## **B. Allowed RR Activities**

To prepare for providing effective RR upon notification of a permanent closure or mass layoff, or a natural or other disaster resulting in a mass job dislocation, applicants for RR funds *may* request funding of any of the allowed activities specified in Section 665.320 of the Federal Register. To preclude the need for each applicant to restate the allowed RR Activities, a summary, adapted for purposes of this application process, has been preprinted into the narrative format. They must also provide a specific of each of the activities that are needed in their LWIA(s). Each of these descriptions should clearly demonstrate the need for, and benefit of, the activity to accomplish the overall purposes of RR in the LWIA(s).

## **PROHIBITED ACTIVITIES**

The use of RR funds is subject to all the provisions of WIA and the Federal Register. However, the following eight specific prohibitions and two clarifications are listed below for ease of reference. To preclude the need for each applicant to restate the prohibited activities, a summary, adapted for purposes of this application process, has been preprinted into the narrative format.

### **A. No WIA funds may be expended for the costs of:**

1. Encouraging or inducing business relocation [WIA 181(d)].
2. Employment generating activities [WIA 181(e)].
3. Economic development activities [WIA 181(e)].
4. Investment in revolving loan funds [WIA 181(e)].
5. Capitalization of businesses [WIA 181(e)].
6. Investment in contract bidding resource centers [WIA 181(e)].
7. Activities that are similar to the ones listed in the above items 2 through 6 [WIA 181(e)].
8. Foreign travel [WIA181(e)].
9. Employer outreach and job development activities [FR 667.262(A)].
10. Individualized direct services to affected workers.

### **B. No RR funds may be requested or expended for the costs of:**

1. Employer outreach and job development activities.

Clarification: Per Federal Register Section 667.262, employer outreach and job development activities are defined as being directly related to training for eligible individuals. Since RR Activities are not directly related to training for eligible individuals, the costs of employer outreach and job development activities may not be charged to RR funding.

2. Direct services to dislocated workers.

Clarification: Section 101(38)(D) of WIA, Section 665.310(d) of the FR and the Preamble to the FR on pages 49358 and 49359 (left columns) relate to prompt provision of core services, intensive services, training services, or needs-related payments as part of the RR process. Applicants can not use the RR application process to request 25 percent funding for such services or payments. A separate application process is being developed for use in requesting 25 percent funding for additional local assistance.

## **APPLICATION FORMAT AND CONTENT**

Applicants must complete the attached documents and submit them as indicated in the covering directive.

Applications will be accepted from CEOs who have appointed the Local Workforce Investment Boards in their LWIAs. Applications will also be accepted from WIA program administrators who have been authorized by their CEOs to act in their behalf in WIA matters. In the latter event, CEO authorizations that have previously been granted will be honored, provided their scope clearly includes submission of applications for additional funding. While such authorizations have typically been provided previously to the State, usually as part of the sub-grant process, we request, to facilitate review of these applications, that a copy of the CEO's written authorization (such as a Resolution of a City Council, Board of Supervisors, Joint Powers Agency Governing Board, or [in the instance of a "strong mayor" city] a Mayor's Executive Order) be submitted with the RR application.

## **PROJECT AMENDMENTS**

As previously required in the Job Training Partnership Act applications; if the applicant expects to transfer expenditures between budget line items, by 15 percent or more, the applicant must obtain prior State approval. An exception to this requirement is in those instances where the 15 percent or more deviation is less than \$5000. To obtain approval, the applicant must submit:

1. A letter requesting approval.
2. A written analysis indicating the reasons for the changes.
3. Amendments to the application.

Amendments consist of changed pages of the previously approved application that are prepared so they can be inserted into the application to replace the superseded pages to thereby maintain the internal integrity and consistency of the entire document. Applicants should consult with their State Regional Advisor to determine whether the contemplated deviation necessitates a formal amendment.

## **FUNDING INCREASES/DECREASES**

Requests for increases of approved funding will be subject to the same review and approval process as new applications. Requests to reprogram or deobligate funds should be submitted as soon as possible after circumstances that permit or necessitate such an action is identified.

## **REPORTING**

By accepting RR funding, the applicant agrees that it will compile and submit reports of activities, expenditures/status of cash, and closeout information by the due dates and in the format prescribed by the State as indicated in WIA reporting directives and/or reporting manuals.

## **MONITORING AND OVERSIGHT**

Rapid Response Activities are subject to monitoring, audits, and other oversight activities by the State and federal government. The most recent approved or amended application will constitute one of the key bases of judgment in all oversight activities.



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State of California

# Workforce Investment Act Rapid Response Funding Application

Prepared By  
Workforce Investment Division  
October 2000



**CALIFORNIA RAPID RESPONSE ASSISTANCE  
APPLICATION/AMENDMENT REQUEST SIGNATURE PAGE**

<b>Applicant Name:</b>	
<b>Project Title:</b> Rapid Response Assistance Project	
<b>Term:</b> July 1, 2000, through June 30, 2001	
<b>Initial Application:</b> <input type="checkbox"/> <b>Amendment Request:</b> <input type="checkbox"/> <b>Amendment #:</b>	
The purpose of this Workforce Investment Act (WIA) Rapid Response (RR) Assistance application/amendment request is as follows:	
This project application/amendment request consists of the following documents marked with an "X".	
<input type="checkbox"/> Narrative	<input type="checkbox"/> Budget Summary/Support Document
<b>Approval for Applicant:</b> Submit two copies with original signatures of Chief Elected Official or authorized designee, the latter with copy of authorization document attached to this signature page.	
Typed Name and Title	Signature and Date
<b>Signature of LWIB Chair or designee</b> (Optional).	
Typed Name and Title	Signature and Date

**FOR STATE USE ONLY**

Rapid Response Funding Specialist signature and date:		/ /	
Fund Coordinator signature and date:		/ /	
Subgrantee Code (Alpha):	Grant Code:	YOA:	Amount:

## CALIFORNIA RAPID RESPONSE ASSISTANCE NARRATIVE

<b>Applicant Name:</b>
<b>Project Title:</b> Rapid Response Assistance Project
<b>Term:</b> July 1, 2000, through June 30, 2001
<b>Initial Application:</b> <input type="checkbox"/> <b>Amendment Request:</b> <input type="checkbox"/> <b>Amendment #:</b>
<b>I. Response Assistance Description</b>
<p>A. Required RR Activities</p> <p>The applicant will provide, or ensure the provision of, all of the following activities and services as necessary and appropriate to respond to all permanent closures, mass layoffs, and natural or other disasters that result in mass job dislocations in its LWIA(s), and will also cooperate, both programmatically and monetarily, on a regional and statewide basis with other recipients of RR funds to respond to dislocation events that have a regional or statewide impact.</p> <ol style="list-style-type: none"> <li>1. On-site contacts for the purposes described in WIA section 101(38)(A) and the WIA Final Rule (FR) Section 665.310(a)(1) through (5).</li> <li>2. Information and access to services to affected workers as described in WIA Section 101(38)(B) and FR Section 665.310(b).</li> <li>3. Assistance to labor-management committees as described in FR Section 665.310(c)(1) through (3) to help each of them devise and oversee a strategy that responds to the reemployment needs of workers affected by each event [WIA Section 101(38)(C)].</li> <li>4. Appropriate emergency assistance as described in WIA Section 101(38)(D) and FR Section 665.310(d).</li> <li>5. The assistance described in FR Section 665.310(e) to help Local Workforce Investment Boards (LWIB) and chief elected officials develop a coordinated response to each event, to (as needed) obtain access to State economic development assistance, and to (as needed) develop an application for a National Emergency Grant [WIA section 101(38)(E)].</li> <li>6. The RR activities listed in items 1 through 5 to assist workers within the LWIA(s) in respect to which the Governor has made the preliminary finding described in FR Section 665.330.</li> </ol> <p>The applicant agrees that it will initiate the provision of those of the above RR activities that are necessary and appropriate to a dislocation event not more than five days after becoming aware of its occurrence.</p>

## B. Allowed RR Activities

To prepare for providing effective RR upon notification of a permanent closure or mass layoff, or a natural or other disaster resulting in a mass job dislocation, the applicant requests funding for those of the following activities in respect to which a description/justification is included, which clearly specifies the planned activity, what will be done and demonstrates that this is needed to accomplish the overall purposes of RR in the LWIA(s) that will be served by the applicant. Additional sheets should be added as necessary.

1. Developing strategies for addressing future dislocation events in the local area [FR 665.320(a)(1)].

2. Identifying strategies for averting layoffs in the local area [FR 665.320(a)(2)].

3. Developing and maintaining means of exchanging information among local areas and with the State about potential dislocations, available adjustment assistance, and what RR strategies are effective [FR 665.320(a)(3)].

4. Collecting and analyzing information related to actual economic dislocations in the local area, potential closings and layoffs in the local area, and all the various resources that are available to benefit dislocated workers in the local area in order to provide an adequate basis for effective program management, and to assist the State in reviewing and evaluating RR and layoff aversion efforts in the State [FR 665.320(b)].

<p>5. Participating in capacity building of other local areas through such means as providing information about innovative and successful strategies for serving dislocated workers to help the other local areas serve smaller layoffs [FR 665.320(c)].</p>
<p>6. Assist in devising and overseeing layoff aversion strategies for the local area [FR 665.320(d)(1)].</p>
<p>7. Assist in devising and overseeing strategies for incumbent worker training, including loan programs set up by employers to upgrade their employees' skills, in the local area [FR 665.320(d)(2)].</p>
<p>8. Assist in devising and overseeing linkages with economic development activities and with business retention and recruitment activities in the local area [FR 665.320(d)(3)].</p>
<p>C. Activities not allowed to be charged to RR</p> <p>The applicant recognizes that the use of RR funds is subject to all the provisions of the WIA and the FR. However, it specifically acknowledges that it will not use RR funds to pay for any of the following:</p> <ol style="list-style-type: none"> <li>1. Encouraging or inducing business relocation [WIA 181(d)].</li> <li>2. Employment generating activities [WIA 181(e)].</li> <li>3. Economic development activities [WIA 181(e)].</li> <li>4. Investment in revolving loan funds [WIA 181(e)].</li> <li>5. Capitalization of businesses [WIA 181(e)].</li> <li>6. Investment in contract bidding resource centers [WIA 181(e)].</li> <li>7. Activities that are similar to the ones listed in items 2 through 6, above [WIA 181(e)].</li> <li>8. Foreign travel [WIA 181(e)].</li> <li>9. Employer outreach and job development activities [FR 667.262(A)].</li> <li>10. Individualized direct services to affected workers.</li> </ol>

## II. Local Plan Compliance

The applicant assures that the operation of this project if funded will comply with the Local Plan(s) applicable to the LWIA(s).

## III. Regional Projects

If this is a regional project, this is indicated with a mark at the right and a sheet headed LIST OF LWIAs BEING SERVED BY APPLICANT is attached.

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## IV. Coordination and Linkage with Employment Development Department

This RR project is coordinated with the RR activities of EDD's Job Service to ensure that the RR services provided to dislocated worker groups include information about EDD services (job placement assistance, Unemployment Insurance, California Training Benefits, Trade Adjustment Assistance, and the Transitional Adjustment Assistance available to workers impacted by the North American Free Trade Act).

The following statement explains how this coordination and linkage is anticipated:

## V. Rapid Response Assistance Exceptional Circumstances

As authorized by the Governor, due to the major impact upon the community, Rapid Response Assistance will be provided when the worker dislocation is less than 50 individuals at a single site of employment, or does not take place during a single 30-day period.

Yes    N/A  
☐    ☐

## VI. Rapid Response Assistance Procurement Procedures

A. The applicant provides all RR activities and services.

Yes    No  
☐    ☐

B. If yes, the applicant has documented in writing and is maintaining on file its determination that it possesses:

Yes    N/A  
☐    ☐

- Adequate financial resources.
- Ability to meet program design specifications at a reasonable cost.
- Satisfactory record of past performance.
- Satisfactory record of integrity, business ethics and fiscal accountability.
- Necessary organization, experience, accounting and operational controls.
- Technical skills to perform the work.



**CALIFORNIA RAPID RESPONSE ASSISTANCE  
BUDGET SUMMARY PLAN**

<b>Applicant Name:</b>		
<b>Project Title:</b> Rapid Response Assistance Project		
<b>Term:</b> July 1, 2000, through June 30, 2001		
<b>Initial Application:</b> <input type="checkbox"/> <b>Amendment Request:</b> <input type="checkbox"/> <b>Amendment #:</b>		
<b>I. Rapid Response Budget Detail</b>		<b>Planned Expenditures</b>
A. Staff Salaries		
B. Number of full-time equivalents		
C. Staff Benefits		
D. Staff Benefit Rate (percent)	%	
E. Staff Travel		
F. Operating Expenses (communications, facilities, utilities, maintenance, consumable supplies, etc.)		
G. Equipment (attach Equipment Budget (FWIAD00-5D) for items with a unit cost over \$5,000)		
H. Contractual Services		
I. Indirect Costs		
J. Indirect Cost Rate (percent)*	%	
*Name of Cognizant Agency:		
K. Other (describe):		
L. Total Rapid Response Assistance		
<b>II. Quarterly Total Expenditure Plan (Specify year)</b>		<b>Cumulative Expenditures</b>
A. 09/2000		
B. 12/2000		
C. 03/2001		
D. 06/2001		

**CALIFORNIA RAPID RESPONSE ASSISTANCE  
BUDGET SUMMARY PLAN (EQUIPMENT)**

<b>Applicant Name:</b>				
<b>Project Title:</b> Rapid Response Assistance Project				
<b>Term:</b> July 1, 2000, through June 30, 2001				
<b>Initial Application:</b> <input type="checkbox"/> <b>Amendment Request:</b> <input type="checkbox"/> <b>Amendment #:</b>				
Equipment Item Description*	Quantity	Unit Cost	Percent Charged to Project	Total Cost
<b>Grand Total</b>				

\*List equipment items having a useful life of more than one year with a unit acquisition cost of \$5,000 or more being charged to this project. Attach a justification for purchase versus lease or use charges when the life of the item exceeds the term of the project.